

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-8576

LEON KEITH GASKINS,

Plaintiff - Appellant,

versus

LAWRENCE V. KELLY, State's Attorney for Allegany County; FRANK R. WEATHERBEE, State's Attorney for Anne Arundel County; STUART O. SIMMS, State's Attorney for Baltimore City; SANDRA A. O'CONNOR, State's Attorney for Baltimore County; WARREN F. SENGSTACK, State's Attorney for Calvert County; CHRISTIAN J. JENSEN, State's Attorney for Caroline County; THOMAS E. HICKMAN, State's Attorney for Carroll County; MICHAEL R. BURKEY, Public Defender for Allegany County; ALAN R. FRIEDMAN, Public Defender; JOY L. PHILLIPS, Public Defender; THELMA J. THOMPSON, Public Defender; CARL BUCHHEISTER, Public Defender; STEFAN R. SKIPP, Public Defender; CAROL A. HANSON, Public Defender; JOHN L. SCARBOROUGH, State's Attorney for Cecil County; LEONARD C. COLLINS, JR., State's Attorney for Charles County; MICHAEL C. MALONEY, State's Attorney for Dorchester County; LAWRENCE A. DORSEY, JR., State's Attorney for Frederick County; JOSEPH I. CASSILLY, State's Attorney for Harford County; WILLIAM R. HYMES, State's Attorney for Howard County; SUSANNE HAYMAN, State's Attorney for Kent County; WILLIAM R. WALTER, Public Defender; JOHN P. RUE, III, Public Defender; FRANKLIN STILLRICH, Public Defender; DARYL T. WALTERS, Public Defender; LLOYD G. MERRIAM, Public Defender; JAMES L. SHERBIN, State's Attorney for Garrett County; ANDREW L. SONNER, State's Attorney for Montgomery County; ALEXANDER WILLIAMS, JR., State's Attorney for Prince George's County; DAVID WESTON GREGORY,

State's Attorney for Queen Anne's County;
WALTER B. DORSEY, State's Attorney for Saint
Mary's County; LOGAN C. WIDDOWSON, State's
Attorney for Somerset County; KENNETH LONG,
JR., State's Attorney for Washington County;
J. THEODORE WIESEMAN, Public Defender; MAUREEN
LAMASNEY, Public Defender; JOHN D. BAILEY,
JR., Public Defender; DAVID R. RUARK, State's
Attorney for Wicomico County; B. RANDALL
COATES, State's Attorney for Worcester County;
HERBERT L. ROLLINS, Judge; G. EDWARD DWYER,
Judge; THEODORE G. BLOOM, Judge; J. JOSEPH
CURRAN, JR., Attorney General; PARRIS N.
GLENDENING, Governor; CAROL E. CHANCE, Chief
Attorney, Collateral Review Division; JONATHAN
L. KATZ; SCOTT WHITNEY, Deputy P.D.; JULIA
DOYLE BERNTHARDT, Assistant Public Defender,
Appellate Division,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. William M. Nickerson, District Judge. (CA-
95-3112-WMN)

Submitted: February 27, 1996

Decided: March 21, 1996

Before MURNAGHAN, WILKINS, and LUTTIG, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Leon Keith Gaskins, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Appellant noted this appeal outside the thirty-day appeal period established by Fed. R. App. P. 4(a)(1), failed to obtain an extension of the appeal period within the additional thirty-day period provided by Fed. R. App. P. 4(a)(5), and is not entitled to relief under Fed. R. App. P. 4(a)(6). The time periods established by Fed. R. App. P. 4 are "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)). The district court entered its order on Oct. 25, 1995; Appellant's notice of appeal was filed on Dec. 11, 1995. Appellant's failure to note a timely appeal or obtain an extension of the appeal period deprives this court of jurisdiction to consider this case. We therefore dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED